

ORDINANCE NO. 2020-019
VVVVVVVVVVVVVVVVVVVVVV

ORDINANCE IMPOSING A CURFEW IN THE CITY OF NAGA AS A PRO-ACTIVE MEASURE TO MINIMIZE THE RISK OF TRANSMISSION OF COVID-19 VIRUS, AND IMPOSING PENALTIES FOR VIOLATION THEREOF:-

On joint and collective motion

Be it ordained by the Sangguniang Panlungsod of Naga, that:

SECTION 1. Purpose. This ordinance seeks to limit non-essential movement and congregation of people, even if only for a fixed period per day, to further minimize the risk of transmission of the of COVID 19 virus in Naga City consistent with the State of Public Health Emergency declared by the President nationwide.

SECTION 2. Imposition of curfew. A curfew is herein imposed in Naga City from 9 p.m. to 5 a.m. which shall cover all persons regardless of age.

SECTION 3. Prohibited areas. During curfew hours, no person shall be in a public place such as streets, alleys, parks and plazas, playgrounds, subdivision open spaces, subdivision roads whether already turned over to the city or not, public buildings and facilities where no legitimate business is normally transacted at nighttime, or in a vacant or idle lot or abandoned building which are openly accessible to anybody.

SECTION 4. Shortened operating hours. To facilitate the observance of curfew hours, businesses which are normally open only for a fixed period per day shall open not earlier than 5 a.m., and close not later than 8:00 p.m. Businesses which are normally open 24/7 shall ensure that they do not serve as refuge for curfew violators, otherwise they shall also be required to observe shortened business hours.

SECTION 5. Duty of peace officers. The Philippine National Police and the Public Safety Office shall enforce the curfew citywide, barangay tanods shall enforce the curfew within their respective jurisdiction particularly in interiors of their barangays. Barangay tanods may call upon the PNP or the PSO for assistance in the enforcement of curfew hours if such is warranted.

SECTION 6. Exempt persons. The following persons are not covered by the curfew imposed under this ordinance:

- a. Persons involved in an emergency situation. This includes unforeseen circumstances, or the status or condition resulting therefrom, requiring immediate action to safeguard life, limb or property. The term also includes, but is not limited to, fires, calamities, disasters, automobile accidents, or other similar circumstances.
- b. Government officials, employees and volunteers with mission orders and are in the actual performance and exercise of its law enforcement, incident management and peace and order functions, including those manning vital government facilities such as Naga City People's Mall, Bicol Central Station, Naga City Abattoir and the Solid Waste Management Office.
- c. Church ministers in charge of attending to the sick and the dying.

- d. Employees of essential service facilities whose working schedules overlap the curfew period, and are en route to and/or returning home from work, such as, but only limited to:
- i. Hospitals, lying-in clinics, and humanitarian agencies
 - ii. Business Process Outsourcing companies;
 - iii. Electric generation and distribution utilities
 - iv. Water utilities
 - v. Communication companies
 - vi. Pharmacies and/or drug stores with 24/7 operations
 - vii. Fuel refilling stations with 24/7 operations

Such persons shall present to the accosting peace officer their company or government facility ID and proof of their time of work.

- e. Those buying food or medicines for patients confined in hospitals and lying in clinics.
f. Those accompanying night shift workers to and from their place of work such as relatives or friends of Business Process Outsourcing and medical care firms.
g. Immediate family members attending to the wake of a diseased relative.

SECTION 7. Exempt entities. Businesses and other entities which are normally open even at night time such as fuel stations, drugstores, medical facilities, convenience stores, fast food outlets, and hotels may continue to operate even during curfew hours. However, they shall not serve as refuge for individuals who were previously accosted or are to be accosted by peace officers for curfew violation but went to the premises of these entities to evade custody under this ordinance. If these entities are used as refuge by persons about to be accosted for curfew violation, these entities, except medical facilities, shall henceforth observe shortened business hours as provided under Section 4 of this ordinance.

SECTION 8. Exempt vehicles. Vehicles passing thru or arriving at Naga City during curfew hours shall be allowed to continue its transit thru the city or to its final destination in Naga City. Public utility vehicles intending to stop in Naga City shall do so only at their designated terminal. Vehicles bound for Naga City shall proceed direct to its final private destination.

SECTION 9. Penalties. Adult offenders shall be brought to the nearest police station to be booked and penalized as follows:

- a. First offense – reprimand
- b. Second offense – A fine of P3,000.00
- c. Third and succeeding offenses – A fine of P5,000.00

Adult offenders shall be released after 5 a.m. and upon payment of the penalty.

SECTION 10. Handling of minors. In case the offender is a minor, he/or she shall immediately be brought to his/her residence and released to his/her parents with the understanding that a repeat offense by the minor shall place him/her at the Naga City Children's Home until such time that the imposition of the curfew is lifted. Repeat offenders and those without a home in Naga City shall immediately be brought to the City Social Welfare and Development Office for proper processing, for which purpose the said office shall have a person on night duty to accept and process minor offenders.

SECTION 11. Suspension of business permit. Business entities which are used as refuge by persons about to be accosted for curfew violation shall henceforth observe shortened business

hours subject to suspension of its business permit if it fails to do so. Suspension of business permit shall be lifted once the curfew is lifted.

SECTION 12. Supplemental guidelines. The city mayor is herein authorized to issue additional guidelines consistent with the spirit and intent of this ordinance in the event circumstances arise which were not anticipated or are not adequately addressed by the provisions of this ordinance.

SECTION 13. Termination of curfew. The curfew herein imposed shall automatically terminate without need of further action by the Sangguniang Panlungsod upon the lifting by the President of the State of Public Health Emergency and/or the reduction of the public health alert for COVID-19 from Code Red to none, provided that the Sangguniang Panlungsod may lift the curfew earlier if, upon its appreciation or upon the recommendation of the city mayor, the same is no longer necessary.

SECTION 14. Effectivity.- This ordinance shall take effect immediately upon approval.

ENACTED: March 14, 2020

Xxx


xxx

xxx

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.



GHIEL C. ROSALES
City Councilor &
Acting Presiding Officer



GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod

APPROVED:



NELSON S. LEGACION
City Mayor